

service to over 144,000,000 homes and businesses across the Nation;

Whereas the contracting out of mail delivery services is being increasingly promoted by the Postal Service as a key business strategy for its core function;

Whereas by contracting out letter carrier positions, the Postal Service is bypassing the hiring process that ensures that only qualified people handle America's mail;

Whereas the contracting out of mail delivery services limits the ability of the Postal Service to prevent, investigate, and prosecute mail theft, mail fraud, and other illegal uses of the mail; and

Whereas the protection of our mail delivery services is a vital component of our national security: Now, therefore, be it

*Resolved*, That it is the sense of the Senate that the United States Postal Service should discontinue the practice of contracting out mail delivery services.

# SENATE RESOLUTION 284—TO AUTHORIZE TESTIMONY AND LEGAL REPRESENTATION IN CITY AND COUNTY OF DENVER V. SUSAN I. GOMEZ, DANIEL R. EGGER, AND CARTER MERRILL

Mr. REID (for himself and Mr. MCCONNELL) submitted the following resolution; which was considered and agreed to:

## S. RES. 284

Whereas, in the cases of City and County of Denver v. Susan I. Gomez (07GS008693), Daniel R. Egger (07GS008692), and Carter Merrill (07GS967589), pending in Denver County Court in Denver, Colorado, testimony has been requested from Matthew Cheroutes, an employee in the office of Senator Ken Salazar;

Whereas, pursuant to sections 703(a) and 704(a)(2) of the Ethics in Government Act of 1978, 2 U.S.C. 288b(a) and 288c(a)(2), the Senate may direct its counsel to represent employees of the Senate with respect to any subpoena, order, or request for testimony relating to their official responsibilities;

Whereas, by the privileges of the Senate of the United States and Rule XI of the Standing Rules of the Senate, no evidence under the control or in the possession of the Senate may, by the judicial or administrative process, be taken from such control or possession but by permission of the Senate;

Whereas, when it appears that evidence under the control or in the possession of the Senate may promote the administration of justice, the Senate will take such action as will promote the ends of justice consistent with the privileges of the Senate: Now, therefore, be it

*Resolved* that Matthew Cheroutes and any other employees of Senator Salazar's office from whom testimony may be required are authorized to testify in the cases of City and County of Denver v. Susan I. Gomez, Daniel R. Egger, and Carter Merrill, except concerning matters for which a privilege should be asserted.

Sec. 2. The Senate Legal Counsel is authorized to represent Matthew Cheroutes and other employees of Senator Salazar's staff in the actions referenced in section one of this resolution.

## AMENDMENTS SUBMITTED AND PROPOSED

SA 2528. Mr. DODD (for himself and Mr. NELSON, of Nebraska) submitted an amendment intended to be proposed by him to the bill H.R. 1585, to authorize appropriations for

fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

## TEXT OF AMENDMENTS

**SA 2528.** Mr. DODD (for himself and Mr. NELSON of Nebraska) submitted an amendment intended to be proposed by him to the bill H.R. 1585, to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title VI, add the following:

### SEC. 683. FAMILY LEAVE FOR CAREGIVERS OF MEMBERS OF THE ARMED FORCES.

(a) SERVICEMEMBER FAMILY LEAVE.—

(1) DEFINITIONS.—Section 101 of the Family and Medical Leave Act of 1993 (29 U.S.C. 2611) is amended by adding at the end the following:

“(14) COMBAT-RELATED INJURY.—The term ‘combat-related injury’ means an injury or illness that was incurred (as determined under criteria prescribed by the Secretary of Defense)—

“(A) as a direct result of armed conflict;

“(B) while an individual was engaged in hazardous service;

“(C) in the performance of duty under conditions simulating war; or

“(D) through an instrumentality of war.

“(15) SERVICEMEMBER.—The term ‘servicemember’ means a member of the Armed Forces.”.

(2) ENTITLEMENT TO LEAVE.—Section 102(a) of such Act (29 U.S.C. 2612(a)) is amended by adding at the end the following:

“(3) SERVICEMEMBER FAMILY LEAVE.—Subject to section 103, an eligible employee who is the primary caregiver for a servicemember with a combat-related injury shall be entitled to a total of 26 workweeks of leave during any 12-month period to care for the servicemember.

“(4) COMBINED LEAVE TOTAL.—An eligible employee shall be entitled to a combined total of 26 workweeks of leave under paragraphs (1) and (3).”.

(3) REQUIREMENTS RELATING TO LEAVE.—

(A) SCHEDULE.—Section 102(b) of such Act (29 U.S.C. 2612(b)) is amended—

(i) in paragraph (1), by inserting after the second sentence the following: “Subject to paragraph (2), leave under subsection (a)(3) may be taken intermittently or on a reduced leave schedule”; and

(ii) in paragraph (2), by inserting “or subsection (a)(3)” after “subsection (a)(1)”.

(B) SUBSTITUTION OF PAID LEAVE.—Section 102(d) of such Act (29 U.S.C. 2612(d)) is amended—

(i) in paragraph (1)—

(I) by inserting “(or 26 workweeks in the case of leave provided under subsection (a)(3))” after “12 workweeks” the first place it appears; and

(II) by inserting “(or 26 workweeks, as appropriate)” after “12 workweeks” the second place it appears; and

(ii) in paragraph (2)(B), by adding at the end the following: “An eligible employee may elect, or an employer may require the employee, to substitute any of the accrued paid vacation leave, personal leave, family

leave, or medical or sick leave of the employee for leave provided under subsection (a)(3) for any part of the 26-week period of such leave under such subsection.”.

(C) NOTICE.—Section 102(e) of such Act (29 U.S.C. 2612(e)) is amended by adding at the end the following:

“(3) NOTICE FOR SERVICEMEMBER FAMILY LEAVE.—In any case in which an employee seeks leave under subsection (a)(3), the employee shall provide such notice as is practicable.”.

(D) CERTIFICATION.—Section 103 of such Act (29 U.S.C. 2613) is amended by adding at the end the following:

“(f) CERTIFICATION FOR SERVICEMEMBER FAMILY LEAVE.—An employer may require that a request for leave under section 102(a)(3) be supported by a certification issued at such time and in such manner as the Secretary may by regulation prescribe.”.

(E) FAILURE TO RETURN.—Section 104(c) of such Act (29 U.S.C. 2614(c)) is amended—

(i) in paragraph (2)(B)(i), by inserting “or section 102(a)(3)” before the semicolon; and

(ii) in paragraph (3)(A)—

(I) in clause (i), by striking “or” at the end;

(II) in clause (ii), by striking the period and inserting “; or”; and

(III) by adding at the end the following:

“(iii) a certification issued by the health care provider of the person for whom the employee is the primary caregiver, in the case of an employee unable to return to work because of a condition specified in section 102(a)(3).”.

(F) ENFORCEMENT.—Section 107 of such Act (29 U.S.C. 2617) is amended, in subsection (a)(1)(A)(i)(II), by inserting “(or 26 weeks, in a case involving leave under section 102(a)(3))” after “12 weeks”.

(G) INSTRUCTIONAL EMPLOYEES.—Section 108 of such Act (29 U.S.C. 2618) is amended, in subsections (c)(1), (d)(2), and (d)(3), by inserting “or section 102(a)(3)” after “section 102(a)(1)”.

(b) SERVICEMEMBER FAMILY LEAVE FOR CIVIL SERVICE EMPLOYEES.—

(1) DEFINITIONS.—Section 6381 of title 5, United States Code, is amended—

(A) in paragraph (5), by striking “and” at the end;

(B) in paragraph (6), by striking the period and inserting “; and”; and

(C) by adding at the end the following:

“(7) the term ‘combat-related injury’ means an injury or illness that was incurred (as determined under criteria prescribed by the Secretary of Defense)—

“(A) as a direct result of armed conflict;

“(B) while an individual was engaged in hazardous service;

“(C) in the performance of duty under conditions simulating war; or

“(D) through an instrumentality of war; and

“(8) the term ‘servicemember’ means a member of the Armed Forces.”.

(2) ENTITLEMENT TO LEAVE.—Section 6382(a) of such title is amended by adding at the end the following:

“(3) Subject to section 6383, an employee who is the primary caregiver for a servicemember with a combat-related injury shall be entitled to a total of 26 administrative workweeks of leave during any 12-month period to care for the servicemember.

“(4) An employee shall be entitled to a combined total of 26 administrative workweeks of leave under paragraphs (1) and (3).”.

(3) REQUIREMENTS RELATING TO LEAVE.—

(A) SCHEDULE.—Section 6382(b) of such title is amended—

(i) in paragraph (1), by inserting after the second sentence the following: “Subject to paragraph (2), leave under subsection (a)(3)

may be taken intermittently or on a reduced leave schedule.”; and

(ii) in paragraph (2), by inserting “or subsection (a)(3)” after “subsection (a)(1)”.

(B) SUBSTITUTION OF PAID LEAVE.—Section 6382(d) of such title is amended by adding at the end the following: “An employee may elect to substitute for leave under subsection (a)(3) any of the employee’s accrued or accumulated annual or sick leave under subchapter I for any part of the 26-week period of leave under such subsection.”.

(C) NOTICE.—Section 6382(e) of such title is amended by adding at the end the following:

“(3) In any case in which an employee seeks leave under subsection (a)(3), the employee shall provide such notice as is practicable.”.

(D) CERTIFICATION.—Section 6383 of such title is amended by adding at the end the following:

“(f) An employing agency may require that a request for leave under section 6382(a)(3) be supported by a certification issued at such time and in such manner as the Office of Personnel Management may by regulation prescribe.”.

## NOTICE OF HEARING

### COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Committee on Energy and Natural Resources. The hearing will be held on August 14, 2007, at 9:30 a.m., at the Clovis-Carver Library, North Annex, located at 701 N. Main Street in Clovis, NM.

The purpose of the hearing is to receive testimony on the Bureau of Reclamation’s implementation of the Rural Water Supply Act of 2006, and Federal, State, and local efforts to plan and develop the Eastern New Mexico Rural Water Supply Project.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send it to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510-6150, or by email to

Gina\_Weinstock@energy.senate.gov.

For further information, please contact Michael Connor at (202) 224-5479 or Gina Weinstock at (202) 224-5684.

## PRIVILEGES OF THE FLOOR

Mr. HARKIN. Mr. President, I ask unanimous consent that Evan Eschmeyer and Stacie Milbern of my staff be granted the privilege of the floor for the duration of today’s session.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. BAUCUS. Mr. President, I ask unanimous consent that the following fellows and interns be granted floor privileges during the consideration of the Children’s Health Insurance Bill:

Amy Branger, Jennifer Donohue, Eric Willborg, Lindsay Erickson, Davie Lee, Brandon Perkins, Mary Baker, Tom Louthan, Sara Shepherd, Alex Hart, Grace Stephens, Susan Douglas, Diedra Henry-Spires, Elise Stein, Russ Ugone, George Serletis, Neil Ohlenkamp, Suzanne Payne, Jennifer Smith, Avi Salzman.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. GRASSLEY. Mr. President, I ask unanimous consent that Tyler Tigges, Anne Freeman, and Lynda Simmons of the Finance Committee staff be given the privilege of the floor during the duration of the debate on H.R. 976.

The PRESIDING OFFICER. Without objection, it is so ordered.

## WOUNDED WARRIOR ASSISTANCE ACT OF 2007

On Wednesday, July 25, 2007, the Senate passed H.R. 1538, as amended, as follows:

H.R. 1538

*Resolved*, That the bill from the House of Representatives (H.R. 1538) entitled “An Act to amend title 10, United States Code, to improve the management of medical care, personnel actions, and quality of life issues for members of the Armed Forces who are receiving medical care in an outpatient status, and for other purposes.”, do pass with the following amendment:

Strike out all after the enacting clause and insert:

### SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) *SHORT TITLE*.—This Act may be cited as the “Dignified Treatment of Wounded Warriors Act”.

(b) *TABLE OF CONTENTS*.—The table of contents for this Act is as follows:

*Sec. 1. Short title; table of contents.*

### TITLE I—WOUNDED WARRIOR MATTERS

*Sec. 101. General definitions.*

*Subtitle A—Policy on Care, Management, and Transition of Servicemembers With Serious Injuries or Illnesses*

*Sec. 111. Comprehensive policy on care, management, and transition of members of the Armed Forces with serious injuries or illnesses.*

*Sec. 112. Consideration of needs of women members of the Armed Forces and veterans.*

*Subtitle B—Health Care*

### PART I—ENHANCED AVAILABILITY OF CARE FOR SERVICEMEMBERS

*Sec. 121. Medical care and other benefits for members and former members of the Armed Forces with severe injuries or illnesses.*

*Sec. 122. Reimbursement of certain former members of the uniformed services with service-connected disabilities for travel for follow-on specialty care and related services.*

### PART II—CARE AND SERVICES FOR DEPENDENTS

*Sec. 126. Medical care and services and support services for families of members of the Armed Forces recovering from serious injuries or illnesses.*

*Sec. 127. Extended benefits under TRICARE for primary caregivers of members of the uniformed services who incur a serious injury or illness on active duty.*

### PART III—TRAUMATIC BRAIN INJURY AND POST-TRAUMATIC STRESS DISORDER

*Sec. 131. Comprehensive plans on prevention, diagnosis, mitigation, and treatment of traumatic brain injury and post-traumatic stress disorder in members of the Armed Forces.*

*Sec. 132. Improvement of medical tracking system for members of the Armed Forces deployed overseas.*

*Sec. 133. Centers of excellence in the prevention, diagnosis, mitigation, treatment, and rehabilitation of traumatic brain injury and post-traumatic stress disorder.*

*Sec. 134. Review of mental health services and treatment for female members of the Armed Forces and veterans.*

*Sec. 135. Funding for improved diagnosis, treatment, and rehabilitation of members of the Armed Forces with traumatic brain injury or post-traumatic stress disorder.*

*Sec. 136. Reports.*

### PART IV—OTHER MATTERS

*Sec. 141. Joint electronic health record for the Department of Defense and Department of Veterans Affairs.*

*Sec. 142. Enhanced personnel authorities for the Department of Defense for health care professionals for care and treatment of wounded and injured members of the Armed Forces.*

*Sec. 143. Personnel shortages in the mental health workforce of the Department of Defense, including personnel in the mental health workforce.*

*Subtitle C—Disability Matters*

### PART I—DISABILITY EVALUATIONS

*Sec. 151. Utilization of veterans’ presumption of sound condition in establishing eligibility of members of the Armed Forces for retirement for disability.*

*Sec. 152. Requirements and limitations on Department of Defense determinations of disability with respect to members of the Armed Forces.*

*Sec. 153. Review of separation of members of the Armed Forces separated from service with a disability rating of 20 percent disabled or less.*

*Sec. 154. Pilot programs on revised and improved disability evaluation system for members of the Armed Forces.*

*Sec. 155. Reports on Army action plan in response to deficiencies in the Army physical disability evaluation system.*

### PART II—OTHER DISABILITY MATTERS

*Sec. 161. Enhancement of disability severance pay for members of the Armed Forces.*

*Sec. 162. Traumatic Servicemembers’ Group Life Insurance.*

*Sec. 163. Electronic transfer from the Department of Defense to the Department of Veterans Affairs of documents supporting eligibility for benefits.*

*Sec. 164. Assessments of temporary disability retired list.*

*Subtitle D—Improvement of Facilities Housing Patients*

*Sec. 171. Standards for military medical treatment facilities, specialty medical care facilities, and military quarters housing patients.*

*Sec. 172. Reports on Army action plan in response to deficiencies identified at Walter Reed Army Medical Center.*